



THE
C A S E
OF THE
BARBERS of LONDON.

THE Barbers of London were a Fraternity before the Time of Edward the Second, and by Letters-Patent of Edward the Fourth were made a Body Corporate, and invested with several Powers and Privileges. In the 32d Year of Henry the Eighth, the publick Policy thought proper to unite them with another Company (not then incorporated) called the Surgeons of London, in order, (as is most probable) to transfer those Powers and Privileges to the latter, without directly appearing to wrest them from the former to whom they had been originally granted.

This Coalition of the two Companies having now subsisted above Two Hundred Years, the Barbers are surpris'd to find an Attempt made by the Surgeons to dissolve it, by Authority of Parliament, without their Participation or Consent.

The principal Reasons assigned by the Surgeons, in their printed Case, to induce the Legislature to this extraordinary Act of Power, are,

- First, That the Barbers, in the Time of Henry the Eighth, were all Surgeons, and that the Parliament, by uniting them with others of superior Abilities, intended their Improvement in that Profession; but that they having, long since, ceased to intermeddle with any Branch of Surgery, this Intent of the Act is frustrated, and the laudable Purpose of the Union at an end.
- Secondly, That by this Alteration of the Circumstances of things, the Junction of the two Companies (how advantageous soever in former Times) is now become highly inconvenient.
- Thirdly, That the Surgeons, if distinctly incorporated, would be encouraged to meet and communicate to one another their Experiments and Successes.
- And Fourthly, That the like Separation has taken place at Paris, Edinburgh, and Glasgow.

BUT the first of these Reasons is grounded on a Mistake in point of Fact; for tho' it be true that the Barbers were all originally Surgeons, and incorporated as such, yet long before the Union in question, most of them had quitted the actual Exercise of that Profession, and the Right itself of exercising it in virtue of their Charter, had been * taken away

* 3 H. 8. Ch. 11. No Person within the City of London, nor within seven Miles, shall occupy as a Surgeon, except he be first examined, approved, and admitted by the Bishop of London or Dean of St. Paul's.

by Parliament: And tho' in the *Preamble* of the uniting Act, both Companies are stiled *Surgeons*, yet from the † *Enacting* Part (which expressly *restrains* the *Barbers* from occupying any part of *Surgery*, except *Tooth-drawing*) it is evident the *Legislature* did not consider them as *real Surgeons*, nor could intend their *Improvement* in a Science they were *forbid* to *practise*, so that the Circumstances of Things are *not* altered from what they *then* were, or from what they manifestly were *designed* to be; and therefore the *Barbers* having no *Rélation* to the *Surgeons*, or their Art (as it was *then* deemed no *Objection* to their *Union*) cannot *now*, with any *Propriety*, be insisted on as a *Reason* for their *Separation*.

With regard to the *Inconveniencies* complained of, as the Charge is *general*, this *general* Answer only can be given, That the *Barbers* have always, with the greatest *Deference*, *submitted* to the *Surgeons* in all Matters *peculiar* to them, and chearfully contributed, out of their *common* Stock, towards every *Expence* which *they* have declared necessary for the Honour or Advancement of *their* Profession. And since *none* of these *Inconveniencies* have been of Consequence enough to deserve being *particularly* pointed out, we may venture to pronounce them *inconsiderable*, and unworthy the Attention and Redress of *Parliament*; and the rather, as *all* of them put together, have not prevented the *Surgeons* of *London* from carrying the Improvement of their Art, both in Speculation and Practice, to a greater Height than has been done in any other Place or Nation.

That the frequent Meetings of ingenious Men, and their free Communications on the Subject of their Profession, may tend to the *Benefit* of *Mankind* in general, and to the Honour of *their* Country in particular, is not denied: But surely the Constitution of the *united* Company is no obstacle to these laudable Purposes. The *Barbers* have for many Years, at their Monthly Courts, submitted to *withdraw* at a stated Hour, and *resigned* the Parlour to the *Surgeons*: And if this *Condescension* is not supposed to afford them *sufficient* Time for Conversation on these *particular* Days, nothing *binders* them from holding *seperate* Assemblies at the Hall almost *every* other Day in the Year.

As to what is said to have been done at *Paris*, *Edinburgh*, and *Glasgow*, no *particular* answer can be given, unless it appeared by what *Means*, for what *Reasons*, and upon what *Terms* the *Separations* in those Places were brought about. In *London* there are but two Instances of Separations of Companies, *viz.* that of the *Felmakers* from the *Haberdashers* in 1604, and that of the *Apothecaries* from the *Grocers* in 1617; but both these were effected by *mutual* Consent, without the Intervention of *Parliament*; and it may be proper to observe, that the *Felmakers* miscarried in a former Application for an exclusive Charter in 1576 for want of the *Haberdashers* Consent.

Upon the whole, therefore, the *Barbers* humbly hope the forgoing Reasons will be deemed *insufficient* to induce the *Legislature* to destroy an *Union* they *themselves* thought proper to form, an *Union* which two hundred Years Existence has rendered *venerable*, and which, by

† 32 H. 8. Ch. 42. Sect. 3. No Person within the City of *London*, Suburbs of the same, and one Mile Compass of the said City, using any Barbery or Shaving, shall occupy any Surgery, Letting of Blood, or any other Thing belonging to Surgery, Drawing of Teeth only except.



the *Improvements* above-mentioned, appears to have answered all the *Purposes* for which it was established.

But if for *other* Reasons (which the *Surgeons* say may be given) the Parliament shall be inclined to favour them in *this part* of their Request; the *Barbers*, from the scrupulous Regard and Tenderness which that *August Assembly* has always shewn for *private Property*, cannot but hope they shall be *continued* in the Enjoyment of *all* their present Possessions, without any *Division* whatsoever, and that, for the following Reasons :

- First,* Because most of the *united Company's* Lands and Tenements, (particularly the Site of their *Hall, Parlour, &c.*) originally belonged to *them*, and by the uniting Act * seem with great Justice to have been intended to remain to their *sole and separate Use*, tho' in fact the *Surgeons* have hitherto been *indulged* in the *equal* Enjoyment of them with the *Barbers*.
- Secondly,* Because the *Surgeons Share* of what may have been acquired *since* the Union, will scarce be an *adequate* Recompence to the *Barbers* for the above *Indulgence*, much less for the unmerited *Loss* of a Brotherhood now so *honourable* and *advantageous* to them.
- Thirdly,* Because the Expences of the *Barbers* when *distinctly* incorporated, can fall but very little, if any thing, short of those of the *united Company*, so that a Reduction of *Income* must subject them to very great Difficulties, which (considering that *they* neither desire, nor have given the *Surgeons* just Cause to desire a Separation) would be extremely hard and unreasonable.
- Lastly,* Because the present *flourishing* Condition of the *Surgeons*, (the only *real* Alteration in the Circumstances of Things) will sufficiently enable them to support the Dignity of their *new* and *favourite* Institution with becoming *Splendor*, without distressing their *less happy* Brethren the *Barbers*.

* 32 H. 8. Ch. 42. The united Company shall have, possess, and enjoy, to them and their Successors for ever, all such Lands and Tenements, and other Hereditaments whatsoever, which the said Company or Commonalty of *Barbers* have and enjoy, to the Use of the said Mystery and Commonalty of *Barbers* of London.



The instrument above mentioned, appears to have answered all the purposes for which it was exhibited.

But if for other Reasons (which the Surgeon lay may be given) the Parliament shall be inclined to favour them in this part of their Request; the Barrow, from the Corporations Rogard and Tenderneis which that same Affair has already shewn for private Property, cannot but hope they shall be continued in the Enjoyment of all their present Privileges, without any Division whatsoever, and that for the following Reasons.

With the Barber, your have hitherto been indulged in the equal enjoyment of them intended to remain to their self and separate Use, tho' in fact the two ways, and by the selling Ad * seem with great Justice to have been (particularly the Use of their Mill, Factory, &c.) originally belonged to the whole of the above Company: Lands and Enclosures.

Because the Bureau share of what may have been acquired from the Union, will furnish an adequate recompense to the Bureau for the above services, much less for the unexpired life of a Provisional member and adjustment to them.

not have given the answer in 10 minutes to desire a separation) would
 very great difficulty, which might be that they neither desire
 would Company, is that a Resolution of them must subject them to
 pointed, can tell but very little, if any thing, first of those of the
 Point the Expenses of the Board when slightly incor-

Because the present humiliating condition of the Germans, (the only new situation in the circumstances of things) will induce them to support the dignity of their war and government in submission with becoming solemnity without distressing their people.

which the said Company or Companies of Bankers have and enjoy in the City of London.

THE
CLASS
OF THE
BARBERS of London.

